

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

DR. BART ADAMS, JR. and JOSEPHINE)	
ADAMS, individually and as parents and)	
next of kin of BRIAN ADAMS,)	
)	NO. 3:23-cv-00001
Plaintiffs,)	
)	
v.)	JUDGE RICHARDSON
)	
THE VANDERBILT UNIVERSITY,)	
)	
Defendant.)	

ORDER

Pending before the Court is all parties’ “Joint Motion to Ascertain Status of Defendant’s Motion to Dismiss (D.E 24) and to Amend Initial Case Management Order (D.E. 33)” (Doc. No. 40, “Motion”). As the Motion’s title suggests, the parties therein seek both to ascertain the status of Defendant Vanderbilt University’s pending motion to dismiss (Doc. No. 24, “Motion to Dismiss”) and to amend the initial case management order (Doc. No. 33, “Initial Case Management Order”). The Motion is **GRANTED IN PART AND DENIED IN PART** as set forth below. In particular, it is GRANTED insofar as the parties wish to ascertain status and DENIED insofar as the parties wish to modify the Initial Case Management Order.

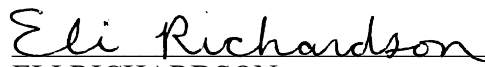
The Court is well aware of the pending Motion to Dismiss in this case and can assure the parties that the motion is not on the metaphorical back burner. The Court wishes to resolve it as soon as feasible. Unfortunately, the Court is attempting to deal with a large number of criminal cases (which take precedence over civil cases, as counsel presumably are aware). In addition, the Court has more than 350 civil cases on its docket, with large numbers of involved dispositive

motions. The Court will make a determination on Defendant's Motion to Dismiss as soon as feasible, given the other pressing matters pending before it. The Court can assure counsel that it is working diligently to minimize these sorts of delays to the full extent possible under the prevailing circumstances.

Per the Initial Case Management Order, the deadline for the disclosure and depositions of experts is currently set for January 26, 2024, and the deadline for any motions to amend or to add parties is January 31, 2024. (Doc. No. 33 at 6-7). Via the Motion, the parties have informed the Court that the disclosure of experts, and the extent to which the parties need to amend the pleadings to add parties in this case, are matters largely dependent on which claims (if any) remain after resolution of the Motion to Dismiss. Accordingly, the parties request an extension of these deadlines.

The Court leaves to the discretion of the Magistrate Judge whether (and to what extent) to amend the deadlines set forth in the Initial Case Management Order. Accordingly, the Motion is denied insofar as it seeks to amend the Initial Case Management Order. However, the parties may file a new motion (which must comply with the requirements for "Modifications of Case Management Order" set forth in Paragraph M of the Initial Case Management Order) requesting that the Magistrate Judge extend the relevant deadlines.

IT IS SO ORDERED.



ELI RICHARDSON
UNITED STATES DISTRICT JUDGE